HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE G.V.SEETHAPATHY

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WRIT PETITION NO.10016 OF 2006

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Between:

M.V.Subrahmanyam S/o Sree Rama Murthy

Age: 46 years, Occ: Chartered Accountant,

R/o.2-21-116, Akbar Road, Sikh Village,

Secunderabad- 500 009.

...PETITIONER

AND

The Government of Andhra Pradesh represented by its Secretary to Government, Endowments Department, Secretariat, Hyderabad and Another

...RESPONDENTS

:: ORDER ::

Counsel for the Petitioner : Sri K.Raghava Charyulu

Counsel for Respondent No.1 : Government Pleader for Endowments

Counsel for Respondent No.2 : Sri P.Harinath Gupta

12th June, 2006

Per G.S.SINGHVI, CJ.

This is a petition for quashing the decision of Tirumala Tirupati Devastanams, Tirupati (Respondent No.2) to appoint female barbers in Kalyanakatta at Tirumala and also to quash the Note of the Board of Trustees dated 24-10-2005 and consequential employment notification dated 28-04-2006.

We have heard Sri K.Raghavacharyulu, learned Advocate for the petitioner at considerable length and perused the record. In our opinion, the petitioner, who claims to be a Chartered Accountant by profession, neither have the locus to invoke the jurisdiction of this Court under Article 226 of the Constitution of India nor is there any merit in his plea against the decision to engage female barbers. In a democratic set up like ours, which is governed by a written Constitution and under which there is a pervasive concept of equality, it is not possible to visualize any impediment in engaging female barbers by respondent No.2. In our view, the decision taken by respondent No.2 to employ female barbers is quite in consonance with the doctrine of equality, which constitutes one of the basic structures of the Constitution.

We would have dismissed the writ petition and saddled the petitioner with exemplary costs of Rs.50,000/- for having abused the process of the Court, but refrain from doing so because having realized the futility of his attempt to convince the Court on the tenability of his client's claim, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with the hope that in future the educated and literate class of society will be more discrete and circumspect in choosing the subject of litigation for being brought before the Court in the name of Public Interest Litigation. We can also expect that the enlightened members of the Bar would give proper advice to the litigants so that valuable time of the Court is not wasted in dealing with frivolous petitions like the one filed by the petitioner.

As a sequel to the dismissal of the writ petition, the ad-interim order dated 23-5-2006 shall stand automatically vacated.

A copy of this order be sent to the Executive Officer, Tirumala Tirupati Devastanam, Tirupati.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY, J

12th June 2006

Note:

Learned Government Pleader is

Requested to telephonically communicate

this order to the concerned authorities.

GRR/RAR

HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE G.V.SEETHAPATHY

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WRIT PETITION NO.10016 OF 2006

(Order of the Bench delivered by

the Hon'ble the Chief Justice)

Date: 12.06.2006

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